

ORIGINALIN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIAJAN 12 2006
LUTHER D. THOMAS, Clerk
By: *Pennie Karr*
Deputy Clerk

ATLANTA DIVISION

UNITED STATES OF AMERICA	:	
	:	CRIMINAL INDICTMENT
v.	:	
NATHAN PARKER,	:	NO. 1:05-Cr-045-ODE
aka Nathan Pasha,	:	(First Superseding)
SHAREL L. PAYNE,	:	
MICHAEL BROCHSTEIN,	:	
RUSSELL H. HIPPE, III,	:	
CARLA D. KINSEY,	:	
DAVID PINNIX,	:	
LARRY BOLTON, and	:	
DANIEL PARKER, III;	:	
Defendants.	:	

CONSENT PROTECTIVE ORDER FOR DISCOVERY MATERIALS

WHEREAS the Discovery materials provided to the Defendants by the United States in this case exceed 48,000 pages and contain sensitive information pertaining to individuals who are not parties to the litigation, i.e., un-redacted personal identifiers, including social security numbers, dates of birth, bank account numbers, tax information, employment information, credit information and other financial information; and

WHEREAS redaction of the sensitive information, while possible, would be unduly burdensome, and would prevent character searching of the documents electronically;

THEREFORE, IT IS HEREBY ORDERED pursuant to Rule 16(d) of

the Federal Rules of Criminal Procedure that any and all materials and information provided by the United States to each defendant (hereinafter referred to in this order as "discovery"), regardless of whether such materials and information have already been produced or will be produced in the future, and regardless of whether such materials and information have or will be produced pursuant to Rule 16 or otherwise, shall not be further disseminated by the defendants or their counsel to any individual, organization, or other entity, other than: (1) members of the defense team, i.e., co-counsel, paralegals, investigators, litigation support personnel, the defendants, and secretarial staff; (2) any experts or consultants retained to assist in the preparation of the defense; (3) counsel for co-defendants; and (4) the Court, unless the sensitive information identified herein is redacted from such materials and information. Upon any dissemination of the materials and information containing the sensitive information identified herein, defense counsel will inform the recipient of this Protective Order and the requirement to maintain the confidentiality of the information conveyed.

IT IS FURTHERED ORDERED THAT if Defendant's counsel desires to disclose any Documents or make available or communicate the content of such Documents containing the sensitive information

identified herein, to any other person, Government's counsel must first be so advised and seek to reach an informal resolution of or agreement on the matter. If an agreement cannot be reached, Defendant's counsel shall apply to the Court for relief from this Order.

IT IS FURTHERED ORDERED THAT the execution of this Order shall not: (a) constitute a waiver of any party's right to seek from the Court at a future time an order which provides, lesser or no restrictions on access to Documents; (b) be construed as an admission or agreement that any Document is confidential, trade secret or entitled to any protective relief; (c) or construed as a waiver of any privilege or objection any party may have as to the discoverability of any information or material.

IT IS FURTHERED ORDERED THAT the undersigned counsel of record, any co-counsel, and any investigators may show but not provide copies of any discovery containing the sensitive information identified herein, to witnesses, if it is determined that it is necessary to do so for the purpose of preparing the defense of the case.

IT IS FURTHER ORDERED THAT all discovery materials provided by the United States are to be used by the defendants and their counsel solely for the purpose of allowing the defendants to prepare their defense, and that no defendant, defense counsel, or

member of the defense team will disseminate, disclose, or provide discovery materials containing the sensitive information identified herein, to anyone who is not necessary to the preparation of the defense.

IT IS FURTHER ORDERED THAT this ORDER shall survive the final termination of this action, and that upon termination of this action, counsel for the defendants shall return all copies of documents to the Government, or shall certify that said documents have been destroyed.

E. Clayton Scofield 1/12/06
E. CLAYTON SCOFIELD, III
UNITED STATES MAGISTRATE JUDGE

CONSENTED TO BY:

David M. Leta
DAVID M. LETA
ASSISTANT U. S. ATTORNEY

Cynthia W. Roseberry
CYNTHIA W. ROSEBERRY, COUNSEL
FOR NATHAN PARKER, aka Nathan
Pasha

Stanley M. Baum
STANLEY M. BAUM, COUNSEL FOR
SHAREL L. PAYNE

Robert F. Schroeder
ROBERT F. SCHROEDER, COUNSEL
FOR RUSSELL H. HIPPE, III

William A. Morrison
WILLIAM A. MORRISON, COUNSEL
FOR DANIEL PARKER, III

Janice A. Singer
JANICE A. SINGER, COUNSEL
FOR DAVID A. PINNIX

Nelson Otis Tyrone
NELSON OTIS TYRONE, III,
COUNSEL FOR CARLA D. KINSEY

Lauren L. Becker
LAUREN L. BECKER, COUNSEL
FOR LARRY BOLTON

Craig A. Gillen
CRAIG A. GILLEN, COUNSEL FOR
MICHAEL BROCHSTEIN